GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector & District Magistrate, YSR District, Kadapa in respect of **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District** - Confirmed – Orders – Issued.

GENERAL ADMINISTRATION (LAW & ORDER) DEPARTMENT

G.O.RT.No. 3127 **Dated 15.10.2015**
Read the following:-

1. From the Collector & District Magistrate, YSR District, Kadapa, Proc. Ref. C1/558/M/2015, Dt: 14.09.2015
2. G.O.Rt.No. 2905, G.A.(L&O) Dept., dated 23.09.2015
3. Govt. Letter No.135/L&O/A3/2015-2, Dt. 23.09.2015
4. From the Advisory Board Report Dated:30.09.2015
5. Representation of **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana,** dt. 30.09.2015.

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ORDER:

WHEREAS the Collector & District Magistrate, YSR District, Kadapa has made an order of detention, vide reference first read above under Section 3 (1) & (2) read with Section 2(a) & (g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District**, for illicit Red Sanders trees cutting dressing, storing and transporting of the red sanders heart wood causing willful destruction and damage to the public property besides a tremendous loss of National wealth, deletion of green cover resulting ecological balance having ramification on the health and well being of public order;

2. AND WHEREAS the Government have accorded approval of the said detention order under sub-section (3) of Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, Under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and two other Members and the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. The case was reviewed by the Advisory Board on 30.09.2015 and after having heard the detenu and the Investigating Officers and also upon perusing the grounds of detention and the connected records, has reported that in its opinion, "there is sufficient cause for the detention of the detenu, **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District**";

4. AND WHEREAS, the Government on careful examination of the entire record, hereby reject the representation dated 30.09.2015 (addressed to Advisory Board and copy marked to the Chief Secretary to Government) of the detenue, **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District** vide reference 5th read above. And it is observed that the detenu was involved in as many as in eight (8) cases. The above cases were registered against him, under the provisions of Section 20(1) C (ii) (iii) (iv) & (X) & 27 of A.P. Forest Act, 1967 and also under section 29 of Wild Life Protection Act, 1972 and 55(2) of Biological Diversity Act, 2002 and Sec 307, 353,378 &

(PTO)

379 IPC. The details shows that he is a habitual offender and a master mind behind the said offences. All his activates are dangerous to rare and pristine forest wealth and his activities are habitual in nature, which are prejudicial to the maintenance of public order and it is necessary to prevent him from further indulging in illicit felling of red sanders trees in Reserved Forest, dressing tem in to logs , theft and illegal transportation to other states to gain illegal money, theft, smuggling of red sender wood logs, assault and attempt to murder of the officials or abetment of the above offences. The said activities are dangerous to forest wealth and prejudicial to maintenance of public order apart from disturbing the peace, tranquility, social harmony / order in the society and he became a source of potential danger to the public. The said offences are punishable under Forest Act, 1967 and the rules made there under, as well as Chapter XVI or XVII or XXII of IPC. As such the activities of the individual falls under and within the meaning of 'Goonda' as defined under Setion 2(g) of Act 1 of 1986. All the incidents mentioned in the grounds of detention clearly substantiate as to how the acts of the detenu are prejudicial to the maintenance of public order. In catena of decisions, the Hon'ble Courts held that any acts of attempt or illegal cutting of the red sander trees and smuggling the timber, would certainly have its impact on the public order. The detaining authority having taken into account and consideration of indulgence of the detenu in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, haspassed the detention order against the detenu by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order and dangerous to forest wealth. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the Detenu. As such, the detenu deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under Sub-Section (1) of Section 12 read with Section 13 of the said Act, hereby confirm the Order of Detention made by the Collector & District Magistrate, YSR District, Kadapa in the ref. 1st read above, as approved in the G.O. 2nd read above and direct that the detention of **Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District** be continued for a period of 12 (Twelve) months from the date of his detention, i.e. 14.09.2015.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

I.Y.R. KRISHNA RAO
CHIEF SECRETARY TO GOVERNMENT

To

Sri Kade Chenchaiah @ Jinkayana, S/o Chinnaiah @ Chenchaiah @ Jinkayana, aged 45 years, R/o Mittaplli Village, Sidhout Mandal, YSR District through the Superintendent of Jails, Central Prison, Kadapa, YSR District.

The Superintendent of Jails, Central Prison, Kadapa, YSR District (He should serve the Order on the detenu immediately under proper dated acknowledgment and arrange to read over and explain the contents of the same in the language known to the detenu and report compliance to the Government forthwith)

The Collector & District Magistrate, YSR District, Kadapa.

The Superintendent of Police, YSR District, Kadapa.

The Divisional Forest Officer, Kadapa, YSR District.

The Sub- Divisional Forest Officer, Rajampet, YSR District.

The Forest Range Officer, Kadapa, YSR District.

The Inspector of Police, Vontimitta Circle, YSR District

Copy to:

The Director General of Police, A.P., Hyderabad.

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

The Addl. Director General of Police (Intelligence), A.P., Hyderabad.

The Spl. Govt. Pleader, attached to Learned Advocate General, A.P., Hyderabad.

Sc/sf.

//FORWARDED::BY ORDER//

SECTION OFFICER (SC)